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U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

YOUNG KIM,

Plaintiff,

v.

**ALLIED COLLECTION
SERVICES OF CALIFORNIA,
LLC; AND, LAW OFFICE OF
ROBERT J. COLCLOUGH, III,**

Defendants.

Case No. **CV 14-00006-MAN**
**COMPLAINT FOR DAMAGES FOR
VIOLATIONS OF THE FAIR DEBT
COLLECTION PRACTICES ACT 15
U.S.C. §§ 1692-1692(P)**

JURY TRIAL DEMANDED

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INTRODUCTION

1. The United States Congress has found abundant evidence of the use of abusive, deceptive, and unfair debt collection practices by many debt collectors, and has determined that abusive debt collection practices contribute to the number of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of individual privacy. Congress wrote the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq., to eliminate abusive debt collection practices by debt collectors, to insure that those debt collectors who refrain from using abusive debt collection practices are not competitively disadvantaged, and to promote consistent State action to protect consumers against debt collection abuses.
2. The California legislature has determined that the banking and credit system and grantors of credit to consumers are dependent upon the collection of just and owing debts and that unfair or deceptive collection practices undermine the public confidence that is essential to the continued functioning of the banking and credit system and sound extensions of credit to consumers. The Legislature has further determined that there is a need to ensure that debt collectors exercise this responsibility with fairness, honesty, and due regard for the debtor's rights and that debt collectors must be prohibited from engaging in unfair or deceptive acts or practices.¹
3. YOUNG KIM ("Plaintiff"), by Plaintiff's attorneys, brings this action to challenge the actions of ALLIED COLLECTION SERVICES OF CALIFORNIA, LLC ("ALLIED" or "Defendants"), and LAW OFFICE OF ROBERT J. COLCLOUGH, III ("COLCLOUGH" or "Defendants") with regard to attempts by Defendants to unlawfully and abusively collect a debt allegedly owed by Plaintiff, and this conduct caused Plaintiff damages.

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¹ Cal. Civ. Code §§ 1788.1 (a)-(b)

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1 4. Plaintiff makes these allegations on information and belief, with the exception
2 of those allegations that pertain to a plaintiff, or to a plaintiff's counsel, which
3 Plaintiff alleges on personal knowledge.

4 5. While many violations are described below with specificity, this Complaint
5 alleges violations of the statutes cited in their entirety.

6 6. Unless otherwise stated, all the conduct engaged in by Defendants took place
7 in California.

8 7. Any violations by Defendants were knowing, willful, and intentional, and
9 Defendants did not maintain procedures reasonably adapted to avoid any such
10 violation.

11 8. Unless otherwise indicated, the use of any Defendants' names in this
12 Complaint includes all agents, employees, officers, members, directors, heirs,
13 successors, assigns, principals, trustees, sureties, subrogees, representatives,
14 and insurers of the Defendants named.

15 JURISDICTION AND VENUE

16 9. Jurisdiction of this Court arises pursuant to 28 U.S.C. § 1331, 15 U.S.C. §
17 1682k and 28 U.S.C. § 1367 for supplemental state claims.

18 10. This action arises out of Defendants' violations of the Fair Debt Collection
19 Practices Act, 15 U.S.C. §§ 1692, et seq. ("FDCPA").

20 11. Because Defendants do business within the State of California, personal
21 jurisdiction is established.

22 12. Venue is proper pursuant to 28 U.S.C. § 1391 for the following reasons: (i)
23 Plaintiff resides in the City of Los Angeles, County of Los Angeles, State of
24 California which is within this judicial district; (ii) the conduct complained of
25 herein occurred within this judicial district; and, (iii) Defendants conducted
26 business within this judicial district at all times relevant.

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PARTIES

13. Plaintiff is a natural person who resides in the County of Los Angeles, State of California, from whom a debt collector sought to collect a consumer debt which was due and owing or alleged to be due and owing from Plaintiff, and is a "debtor" as that term is defined by California Civil Code § 1788.2(h). In addition, Plaintiff is a "consumer" as that term is defined by 15 U.S.C. § 1692a(3).
14. Plaintiff is informed and believes, and thereon alleges, that Defendant ALLIED is a company operating from the City of Van Nuys, State of California.
15. Plaintiff is informed and believes, and thereon alleges, that ALLIED, in the ordinary course of business, regularly, on behalf of itself or others, engages in "debt collection" as that term is defined by California Civil Code § 1788.2(b), and is therefore a "debt collector" as that term is defined by California Civil Code § 1788.2(c) and 15 U.S.C. § 1692a(6).
16. Plaintiff is informed and believes, and thereon alleges, that Defendant COLCLOUGH is a company operating from the City of Northridge, State of California.
17. Plaintiff is informed and believes, and thereon alleges, that COLCLOUGH, in the ordinary course of business, regularly, on behalf of itself or others, engages in "debt collection" as that term is defined by California Civil Code § 1788.2(b), and is therefore a "debt collector" as that term is defined by California Civil Code § 1788.2(c) and 15 U.S.C. § 1692a(6).
18. This case involves money, property or their equivalent, due or owing or alleged to be due or owing from a natural person by reason of a consumer credit transaction. As such, this action arises out of a "consumer debt" and "consumer credit" as those terms are defined by Cal. Civ. Code § 1788.2(f) and a "debt" as that term is defined by 15 U.S.C. 1692a(5).

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1 **FACTUAL ALLEGATIONS**

2 19. At all times relevant, Plaintiff is an individual residing in the State of
3 California.

4 20. Plaintiff is informed and believes, and thereon alleges, that at all times
5 relevant, Defendants conducted business in the State of California.

6 21. In or about 2005, Plaintiff allegedly incurred financial obligations to the
7 original creditor, First Entertainment Credit Union, that were money,
8 property, or their equivalent, which is due or owing, or alleged to be due or
9 owing, from a natural person to another person and were therefore "debt(s)"
10 as that term is defined by California Civil Code §1788.2(d), and a "consumer
11 debt" as that term is defined by California Civil Code §1788.2(f) and 15
12 U.S.C. § 1692a(6).

13 22. Sometime thereafter, Plaintiff allegedly fell behind in the payments allegedly
14 owed on the alleged debt. Plaintiff currently takes no position as to whether
15 or not this alleged debt was actually owed.

16 23. Subsequently, but before August 6, 2013, the alleged debt was allegedly
17 assigned, placed, or otherwise transferred, to Defendant ALLIED for
18 collection.

19 24. On August 6, 2013, Defendants initiated a lawsuit in the State of California
20 against Plaintiff in an attempt to collect the alleged debt, court case number
21 CIV1303285, *Allied Collection Services of California, L.L.C. v. Kim Young* in
22 the Superior Court of California, County of Marin ("the State Action")

23 25. Plaintiff did not reside in the County of Marin at the time the lawsuit was
24 filed, did not enter in the alleged contract with Defendant and/or the original
25 creditor in the County of Marin, and did not incur any portion of the alleged
26 debt in the County of Marin.

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26. Defendants initiated the initial lawsuit against Plaintiff, unrelated to real property, in a judicial district or similar legal entity that is outside of where Plaintiff allegedly signed the contract sued upon, and is outside the judicial district or similar legal entity where Plaintiff resided at the commencement of the action. This conduct by Defendants violated 15 U.S.C. § 1692i.

27. Despite not living within the County of Marin, Defendants asserted under the penalty of perjury in the State Action that Defendants filed the State Action in the County of Marin because "[Plaintiff] resides within [the County of Marin] at the time the Summons and Complaint were filed." See Defendants' Declaration re: Venue filed in the State Action.

28. As a result of Defendants' illegal conduct, Plaintiff has incurred damages, including being forced to defend a baseless action in a County in which Plaintiff does not reside.

29. Through this conduct, Defendant violated 15 U.S.C. § 1692e by using false, deceptive and misleading representations in connection with the collection of an alleged debt from Plaintiff.

30. Through this conduct, Defendant violated 15 U.S.C. § 1692e(10) by using false representation and deceptive means to collect an alleged debt from Plaintiff.

31. Through this conduct, Defendants took actions against Plaintiff concerning the alleged debt in violation of the statutes discussed above. Consequently, Defendants violated 15 U.S.C. §§ 1692i.

32. Moreover, Defendants' initial lawsuit failed to name the proper Plaintiff, as Defendants' complaint filed on August 6, 2013, attempted to sue Kim Young instead of Young Kim.

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1 33. As a result of suing someone by the name Kim Young then serving Plaintiff,
2 Plaintiff was forced to thoroughly investigate the matter in order to determine
3 whether Defendants had in fact intended to sue Plaintiff or an unknown third
4 party. Such investigation forced Plaintiff to incur actual damages by
5 expending time and resources to determine whether Plaintiff was the target of
6 the State Action.

7 34. Through this conduct, Defendants used false, deceptive, or misleading
8 representation or means in connection with the collection of a debt.
9 Consequently, Defendant violated 15 U.S.C. § 1692e.

10 35. Through this conduct, Defendants violated 15 U.S.C. § 1692e(10) by using
11 false representation and deceptive means to collect an alleged debt from
12 Plaintiff.

13 36. Through this conduct, Defendants engaged in communications with Plaintiff
14 in order to collect an alleged debt from Plaintiff. Said communications and
15 conduct violate 15 U.S.C. §§ 1692e; 1692e(10); and, 1692i.

CAUSES OF ACTION CLAIMED BY PLAINTIFF

COUNT I

VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT

15 U.S.C. §§ 1692-1692(p) (FDCPA)

18 37. Plaintiff incorporates by reference all of the above paragraphs of this
19 Complaint as though fully stated herein.

20 38. The foregoing acts and omissions constitute numerous and multiple violations
21 of the FDCPA.

22 39. As a result of each and every violation of the FDCPA, Plaintiff is entitled to
23 any actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages
24 for a knowing or willful violation in the amount up to \$1,000.00 pursuant to
25 15 U.S.C. § 1692k(a)(2)(A); and reasonable attorney's fees and costs pursuant
26 to 15 U.S.C. § 1692k(a)(3) from Defendant individually.
27
28

PRAYER FOR RELIEF

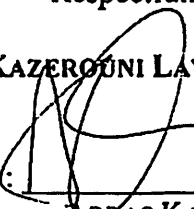
WHEREFORE, Plaintiff prays that judgment be entered against Defendants for:

- an award of actual damages, in an amount to be determined at trial, pursuant to 15 U.S.C. § 1692k(a)(1), against each Defendant individually;
- an award of statutory damages of \$1,000.00, pursuant to 15 U.S.C. § 1692k(a)(2)(A), against each Defendant individually;
- an award of costs of litigation and reasonable attorney's fees, pursuant to 15 U.S.C. § 1692k(a)(3), against each Defendant individually; and,
- any and all other relief that this Court deems just and proper.

Dated: December 19, 2013

Respectfully submitted,

KAZEROONI LAW GROUP, APC

By: 
ABBAS KAZEROUNIAN, ESQ.
ATTORNEY FOR PLAINTIFF


TRIAL BY JURY

40. Pursuant to the seventh amendment to the Constitution of the United States of America, Plaintiff is entitled to, and demands, a trial by jury.

Dated: December 19, 2013

Respectfully submitted,

KAZEROONI LAW GROUP, APC

By: 
ABBAS KAZEROUNIAN, ESQ.
ATTORNEY FOR PLAINTIFF

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Central District of California

YOUNG KIM,

Plaintiff(s)

v.

ALLIED COLLECTION SERVICES OF CALIFORNIA,
LLC; AND, LAW OFFICE OF ROBERT J.
COLCLOUGH, III,

Defendant(s)

Civil Action No.

CV14-0006-MAN

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Abbas Kazerounian, Esq.
KAZEROUNI LAW GROUP, APC
245 Fischer Avenue, Unit D1
Costa Mesa, CA 92626

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: JAN - 2 2014

CLERK OF THE COURT

Signature of Clerk or Deputy Clerk
1184

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Print

Save As...

Reset

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

| | |
|---|--|
| I. (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) YOUNG KIM, | DEFENDANTS (Check box If you are representing yourself <input type="checkbox"/>) ALLIED COLLECTION SERVICES OF CALIFORNIA, LLC; AND, LAW OFFICE OF ROBERT J. COLCLOUGH, III, |
| (b) County of Residence of First Listed Plaintiff <u>Los Angeles</u> <small>(EXCEPT IN U.S. PLAINTIFF CASES)</small> | County of Residence of First Listed Defendant <u>Los Angeles</u> <small>(IN U.S. PLAINTIFF CASES ONLY)</small> |
| (c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information. Abbas Kazeroonian, Esq. KAZEROONI LAW GROUP, APC 245 Fischer Avenue, Unit D1, Costa Mesa, CA 92626 (800) 400-6808 ext. 2 | Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information. |

| | | | |
|--|---|---|---|
| II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1. U.S. Government Plaintiff <input checked="" type="checkbox"/> 3. Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2. U.S. Government Defendant <input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III) | III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant) <table style="width:100%;"> <tr> <td style="width:50%;"> Citizen of This State <input type="checkbox"/> 1 Citizen of Another State <input type="checkbox"/> 2 Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 </td> <td style="width:50%;"> PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 3 Incorporated or Principal Place of Business in this State <input type="checkbox"/> 4 Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6 </td> </tr> </table> | Citizen of This State <input type="checkbox"/> 1 Citizen of Another State <input type="checkbox"/> 2 Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 | PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 3 Incorporated or Principal Place of Business in this State <input type="checkbox"/> 4 Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6 |
| Citizen of This State <input type="checkbox"/> 1 Citizen of Another State <input type="checkbox"/> 2 Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 | PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 3 Incorporated or Principal Place of Business in this State <input type="checkbox"/> 4 Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6 | | |

IV. ORIGIN (Place an X in one box only.)

| | | | | | |
|--|--|---|--|---|---|
| <input checked="" type="checkbox"/> 1. Original Proceeding | <input type="checkbox"/> 2. Removed from State Court | <input type="checkbox"/> 3. Remanded from Appellate Court | <input type="checkbox"/> 4. Reinstated or Reopened | <input type="checkbox"/> 5. Transferred from Another District (Specify) | <input type="checkbox"/> 6. Multi-District Litigation |
|--|--|---|--|---|---|

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT: \$**

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 15 U.S.C. § 1692, et seq. - Fair Debt Collection Practices Act

VII. NATURE OF SUIT (Place an X in one box only.)

| OTHER STATUTES | CONTRACT | REAL PROPERTY CONT. | IMMIGRATION | PRISONER PETITIONS | PROPERTY RIGHTS |
|--|---|--|--|--|---|
| <input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/Etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org. <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes | <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.) <input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment | <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability | <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 American with Disabilities-Employment <input type="checkbox"/> 446 American with Disabilities-Other <input type="checkbox"/> 448 Education | Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee Conditions of Confinement FORFEITURE/PENALTY <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Ret. Inc. Security Act | <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405 (g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405 (g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609 |

FOR OFFICE USE ONLY:

Case Number:

CV-71 (11/13)

CIVIL COVER SHEET

Page 1 of 3

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

| | | | |
|---|---|--|-------------------------------------|
| Question A: Was this case removed from state court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX. | STATE CASE WAS PENDING IN THE COUNTY OF: | | INITIAL DIVISION IN CACD IS: |
| | <input type="checkbox"/> Los Angeles | | Western |
| | <input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo | | Western |
| | <input type="checkbox"/> Orange | | Southern |
| | <input type="checkbox"/> Riverside or San Bernardino | | Eastern |

| | | | |
|--|--|---|-------------------------------------|
| Question B: Is the United States, or one of its agencies or employees, a party to this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX. | If the United States, or one of its agencies or employees, is a party, is it: | | INITIAL DIVISION IN CACD IS: |
| | A PLAINTIFF? | A DEFENDANT? | |
| | Then check the box below for the county in which the majority of DEFENDANTS reside. | Then check the box below for the county in which the majority of PLAINTIFFS reside. | |
| | <input type="checkbox"/> Los Angeles | <input type="checkbox"/> Los Angeles | Western |
| | <input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo | <input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo | Western |
| | <input type="checkbox"/> Orange | <input type="checkbox"/> Orange | Southern |
| | <input type="checkbox"/> Riverside or San Bernardino | <input type="checkbox"/> Riverside or San Bernardino | Eastern |
| <input type="checkbox"/> Other | <input type="checkbox"/> Other | Western | |

| Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row) | A. Los Angeles County | B. Ventura, Santa Barbara, or San Luis Obispo Counties | C Orange County | D. Riverside or San Bernardino Counties | E. Outside the Central District of California | F. Other |
|--|-------------------------------------|---|----------------------------|--|--|--------------------------|
| Indicate the location in which a majority of plaintiffs reside: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Indicate the location in which a majority of defendants reside: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Indicate the location in which a majority of claims arose: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | |
|--|---|
| C.1. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below. If none applies, answer question C.2 to the right. → | C.2. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓ |
| Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below. | |

| | |
|---|---------------------------------|
| Question D: Initial Division? | INITIAL DIVISION IN CACD |
| Enter the initial division determined by Question A, B, or C above: → | WESTERN |

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

IX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed?



NO

☐ YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case?



NO

☐ YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)

- ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**X. SIGNATURE OF ATTORNEY
(OR SELF-REPRESENTED LITIGANT):** _____

DATE:

12/19/13

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

| Nature of Suit Code | Abbreviation | Substantive Statement of Cause of Action |
|---------------------|--------------|--|
| 861 | HIA | All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b)) |
| 862 | BL | All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923) |
| 863 | DIWC | All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g)) |
| 863 | DIWW | All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g)) |
| 864 | SSID | All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended. |
| 865 | RSI | All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g)) |